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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
RAIL SAFETY SECTION

COUNTY OF COOK, THE VILLAGE OF)
EAST HAZEL CREST and THE VILLAGE OF)
HAZEL CREST, bodies politic and corporate,)

Petitioners,)

v.)

Case No. T05-0051

ILLINOIS CENTRAL RAILROAD)
COMPANY and THE STATE OF ILLINOIS,)
DEPARTMENT OF TRANSPORTATION,)

Respondents.)

**ILLINOIS CENTRAL'S SUPPLEMENTAL ANSWERS TO COOK COUNTY'S
INTERROGATORIES AND REQUEST TO PRODUCE**

Respondent, Illinois Central Railroad Company ("Illinois Central"), by its attorneys, Freeborn
& Peters LLP, provides the following supplemental responses to Cook County's Interrogatories and
Request to Produce as follows:

Rule 213 Interrogatories

17. Identify each and every lay witness that the Respondent intends to call at the hearing
of this case pursuant to S.Ct. Rule 213(f)(1), and for each witness state the subject matter of his
testimony.

ANSWER:

Thomas Zeinz
Former Illinois Central Engineer of Public Works
Mr. Zeinz can be contacted through Freeborn & Peters LLP

Mr. Zeinz is expected to testify regarding the condition of Illinois Central's property located
at and near the 171st overpass. This will include the condition of the underpass during heavy rains.

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He also will testify regarding improvement projects related to drainage and storm water management in the area of the subject Property. Mr. Zeinz also is expected to testify regarding negotiations with representative of the County of Cook, the Village of East Hazel Crest and others related to proposed improvements at the 171st overpass. Mr. Zeinz may also testify to any subject matters discussed in a deposition conducted in this case.

David Crader
Illinois Central Project Manager
Mr. Crader can be contacted through Freeborn & Peters LLP

Mr. Crader is expected to testify regarding the condition of Illinois Central's property located at and near the 171st overpass. This will include the condition of the underpass during heavy rains. He also will testify regarding improvement projects related to drainage and storm water management in the area of the subject Property. Mr. Crader may also testify to any subject matters discussed in a deposition conducted in this case.

John Henriksen
Illinois Central Manager of Public Works
Mr. Henriksen can be contacted through Freeborn & Peters LLP

Mr. Henriksen is expected to testify regarding the condition of Illinois Central's property located at and near the 171st overpass from the years 1997 through the present. This will include the condition of the underpass during heavy rains. He also will testify regarding improvement projects related to drainage and storm water management in the area of the subject Property. Mr. Henriksen may also testify to any subject matters discussed in a deposition conducted in this case.

Arthur L. Spiros
Rail Property Management
Mr. Spiros can be contacted through Freeborn & Peters LLP

Mr. Spiros is expected to testify regarding ownership and management of the subject Property and surrounding area. Mr. Spiros may also testify to any subject matters discussed in a deposition conducted in this case.

Devin Sprinkle
Illinois Central Manager of Environmental Compliance
Mr. Sprinkle can be contacted through Freeborn & Peters LLP

Mr. Sprinkle is expected to testify regarding drainage of IC property to the 171st Street overpass and matters relating to environmental compliance. Mr. Sprinkle may also testify to any subject matters discussed in a deposition conducted in this case.

Alan Crain
Illinois Central Manager of Bridges and Structures
Mr. Craine can be contacted through Freeborn & Peters LLP

Mr. Crain is expected to testify regarding the condition of the IC portions of the 171st Street overpass, including but not limited to the drainage, lighting, and maintenance of those structures. Mr. Crain may also testify to any subject matters discussed in a deposition conducted in this case.

Donald Lewis
Former Illinois Central Manager of Bridges and Structures (retired)
Mr. Lewis can be contacted through Freeborn & Peters LLP

Mr. Lewis is expected to testify regarding the condition of the IC portions of the 171st Street overpass, including but not limited to the drainage, lighting, and maintenance of those structures prior to his retirement. Mr. Lewis may also testify to any subject matters discussed in a deposition conducted in this case.

Rod Nagel
Illinois Central Bridge Construction and Programming
Mr. Nagel can be contacted through Freeborn & Peters LLP

Mr. Nagel is expected to testify regarding the condition of the IC portions of the 171st Street overpass, including but not limited to the drainage, lighting, and maintenance of those structures. Mr. Nagel may also testify to any subject matters discussed in a deposition conducted in this case.

Tim Kelly
Illinois Central Lead Electrician
Mr. Kelly can be contacted through Freeborn & Peters LLP

Mr. Kelly is expected to testify regarding the maintenance of lighting for the 171st Street underpass for the last 25 years. He also will testify regarding the lighting needs at and around the 171st Street overpass. Mr. Kelly may also testify to any subject matters discussed in a deposition conducted in this case.

Robert Walker
Illinois Central Communication and Electrical Services
Mr. Walker can be contacted through Freeborn & Peters LLP

Mr. Walker is expected to testify regarding the maintenance of lighting for the 171st Street underpass. He also will testify regarding the lighting needs at and around the 171st Street overpass. Mr. Walker may also testify to any subject matters discussed in a deposition conducted in this case.

Gordon T. Trafton,
Illinois Central Senior Vice President
Mr. Trafton can be contacted through Freeborn & Peters LLP

Mr. Trafton is expected to testify regarding negotiations with representative of the County of Cook, the Village of East Hazel Crest and others related to proposed improvements at the 171st overpass. Mr. Trafton may also testify to any subject matters discussed in a deposition conducted in this case.

Lynne Corrado
METRA
Office of the General Counsel
547 W. Jackson Boulevard, 13 floor
Chicago, Illinois 60661
(312) 322-6777

Ms. Corrado may testify regarding METRA facilities at and around the subject Property and discussions among the parties regarding proposed improvements to the 171st Street area. Ms. Corrado may also testify to any subject matters discussed in a deposition conducted in this case.

William T. Archer
METRA
Office of the General Counsel
547 W. Jackson Boulevard, 13 floor
Chicago, Illinois 60661
(312) 322-6777

Mr. Archer may testify regarding METRA facilities at and around the subject Property and discussions among the parties regarding proposed improvements to the 171st Street area. Mr. Archer may also testify to any subject matters discussed in a deposition conducted in this case.

Joseph D. Petraitos,
P.E., Earth Tech,
10 S. Riverside Plaza
Suite 1900
Chicago, Illinois 60606
(312) 777-5500

Mr. Petraitos may testify regarding drainage work and surveys conducted at the Illinois Central yards by EarthTech. Moreover, he may testify to his knowledge regarding storm water movement in the area of the Property. Mr. Petraitos may also testify to any subject matters discussed in a deposition conducted in this case.

Illinois Central may call any and all witnesses disclosed in Petitioners' Rule 213 Interrogatories to testify at the hearing before the Commission. These witnesses are expected to testify to the issue disclosed in Petitioners' Rule 213 Interrogatories and any issues discussed during their depositions. Moreover, all controlled experts witnesses identified in Supplemental Answer to Interrogatory # 19, below, may also be called to testify as fact witnesses in accordance with S.Ct. Rule 213(f)(1).

19. Identify each and every controlled expert witness that the Respondent expects to call at the hearing of this case pursuant to S.Ct. Rule 213(f)(3), and for each witness state the subject matter on which the witness will testify, the conclusions and opinions of the witness and the bases therefore, the qualifications of the witness, and any reports prepared by the witness about the case.

ANSWER:

Barry Klepp, PE
Earth Tech
10 S. Riverside Plaza
Suite 1900
Chicago, Illinois 60606
(312) 777-5500

- a) Mr. Klepp is a Project Manager for Earth Tech. He is expected to testify as to the facts and his observations, conclusions and opinions regarding: cost estimates and viability of petitioners' planed improvement of the Project area as set forth in the Petition; construction and maintenance of a drainage system that would eliminate water runoff to the Project area at a cost which is substantially less than that set forth in the Petition; and, maintenance and improvement of the Project area since the time of its original construction which rendered the originally installed drainage system and gutters ineffective and unable to adequately control water runoff in the Project area.
- b) See subsection a) for the conclusions and opinions of Mr. Klepp. The bases for those conclusions and opinions are Mr. Klepp's: education and experience as set forth in the attached Curriculum Vitae; review of Robinson Engineering's, Earth Tech's and Illinois Central's site plans, documents and drawings of the Project area; various inspections of the Project area and Illinois Central rail yard; discussions with Illinois Central personnel; and, review of the deposition transcripts of petitioner's proffered engineering witnesses. Mr. Klepp may also testify to any subject matter, opinion or conclusion discussed in a

deposition conducted in this case.

- c) See attached Curriculum Vitae.
- d) Mr. Klepp has not prepared any written reports pertaining to this case.

John Lukas, PE
Earth Tech
10 S. Riverside Plaza
Suite 1900
Chicago, Illinois 60606
(312) 777-5500

- a) Mr. Lukas is a Project Manager for Earth Tech. He is expected to testify as to the facts and his observations, conclusions and opinions regarding: cost estimates and viability of petitioners' planed improvement of the Project area as set forth in the Petition; construction and maintenance of a drainage system that would eliminate water runoff to the Project area at a cost which is substantially less than that set forth in the Petition; and, maintenance and improvement of the Project area since the time of its original construction which rendered the originally installed drainage system and gutters ineffective and unable to adequately control water runoff in the Project area.
- b) See subsection a) for the conclusions and opinions of Mr. Lukas. The bases for those conclusions and opinions are Mr. Lukas': education and experience as set forth in the attached Curriculum Vitae; review of Robinson Engineering's, Earth Tech's and Illinois Central's site plans, documents and drawings of the Project area; various inspections of the Project area and Illinois Central rail yard; discussions with Illinois Central personnel; and, review of the deposition transcripts of petitioner's proffered engineering witnesses. Mr. Lukas may also testify to any subject matter, opinion or conclusion discussed in a deposition conducted in this case.
- c) See attached Curriculum Vitae.
- d) Mr. Lukas has not prepared any written reports pertaining to this case.

Ashok Lagvankar, PhD
Earth Tech
10 S. Riverside Plaza
Suite 1900
Chicago, Illinois 60606
(312) 777-5500

- a) Mr. Lagvankar became a Professional Engineer in 1969 and was a Project Manager for Earth Tech. He is expected to testify as to the facts and his observations, conclusions and opinions regarding: cost estimates and viability of petitioners' planed improvement of the Project area as set forth in the Petition; construction and maintenance of a drainage system that would eliminate water runoff to the Project area at a cost which is substantially less than that set forth in the Petition; and, maintenance and improvement of the Project area since the time of its original construction which rendered the originally installed drainage system and gutters ineffective and unable to adequately control water runoff in the Project area.
- b) See subsection a) for the conclusions and opinions of Mr. Lagvankar. The bases for those conclusions and opinions are Mr. Lagvankar's: education and experience as set forth in the attached Curriculum Vitae; review of Robinson Engineering's, Earth Tech's and Illinois Central's site plans, documents and drawings of the Project area; various inspections of the Project area and Illinois Central rail yard; discussions with Illinois Central personnel; and, review of the deposition transcripts of petitioner's proffered engineering witnesses. Mr. Lagvankar may also testify to any subject matter, opinion or conclusion discussed in a deposition conducted in this case.
- c) See attached Curriculum Vitae.
- d) Mr. Lagvankar has not prepared any written reports pertaining to this case.

S.Ct. Rule 214 Production Requests

7. All documents relating to the construction and/or installation of a drainage system and maintenance of a drainage system servicing the subject property, including the stormwater outlet and drainage ditch referenced in paragraph 13 of the Petition.

ANSWER: Documents responsive to this request include:

Relevant portions of Earth Tech reports that will be produced for inspection and copying. Also responsive to this request are the following photos of the MIT Ditch and surrounding area taken on February 10, 2006:

1. Looking North from Headwall at MIT Entrance (IC001136)
2. Looking North at Storm manhole (Junction due to a bend in the culvert?) (IC001137)
3. Outfall pipe from under MIT drive (IC001138)
4. Center Street Ditch clogged 50' north of outfall pipe (IC001139)
5. Pipe at MIT Entrance (looking north) (IC001140)
6. Dead Tree on silt fence and into ditch (IC001141)
7. Ditch (looking north) (IC001142)
8. Pipe into ditch from brick plant (IC001143)
9. Ditch (looking north) (IC001144)
10. Pipe not ditch from brick plant (IC001145)
11. Ditch (looking north) (IC001146)
12. Ditch (looking north) (IC001147)
13. Trees piled on west bank from previous job (IC001148)
14. Trees piled on west bank from previous job (IC001149)
15. Ditch (looking north) Note: tires along east bank from brink plant (IC001150)
16. Pipe into ditch from brick plant (IC001151)
17. Ditch (looking north) (IC001152)
18. Pipe from CN yard (IC001153)
19. Ditch (looking north) (IC001154)
20. Ditch (looking north) (IC001155)
21. Culvert under 171st street (IC001156)
22. Ditch curving around to parallel 171st street (IC001157)
23. Pipe from 171st street (IC001158)
24. Ditch looking east (IC001159)
25. Culverts under 171st street (IC001160)
26. Ditch at culverts (Note: trees piled up from previous job) (IC001161)
27. Ditch at culverts (Note: trees piled up from previous job) (IC001162)
28. Ditch at culverts (Note: trees piled up from previous job) (IC001163)
29. Culvert under 171st that begins ditch (IC001164)
30. Pipe from CN yard at ditch beginning (IC001165)
31. Ditch from beginning (looking east) (IC001166)
32. Ditch begins at base of concrete where culvert comes in (IC001167)
33. Trash along 171st Street (looking west) (IC001168)

Respectfully submitted,

ILLINOIS CENTRAL RAILROAD COMPANY,

By: 
One of Respondent's Attorneys

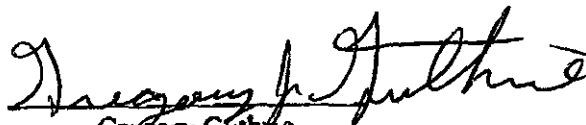
Michael J. Scotti,
Michael T. Franz
Terrence J. Sheahan
Freeborn & Peters LLP
311 South Wacker
Suite 3000
Chicago, Illinois 60606
(312) 360-6000

*Attorneys for Respondent,
Illinois Central Railroad Company*

Date: March 22, 2006

VERIFICATION

The undersigned, Gregory Guthrie, declares that he has read the foregoing interrogatories and states that the answers provided therein are true, correct and complete to the best of his knowledge and belief.


Gregory Guthrie

Subscribed and Sworn to before me
this ____ day of March, 2006.

Notary Public

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached **ILLINOIS CENTRAL'S SUPPLEMENTAL ANSWERS TO COOK COUNTY'S INTERROGATORIES AND REQUEST TO PRODUCE** was served on the parties listed on the attached Service List by depositing same in the U.S. Mail, with proper postage prepaid, at 311 S. Wacker Drive, Chicago, Illinois 60606, on March 22, 2006 before 5:00 p.m.


Terrence J. Sheahan

#1063012/05200-0095

SERVICE LIST

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James Kvedaras
Illinois Central Railroad
17641 S. Ashland Avenue
Homewood, Illinois 60430

171st to MIT DITCH PHOTOS (2-10-06)

1. Looking North from Headwall at MIT Entrance (IC001136)
2. Looking North at Storm manhole (Junction due to a bend in the culvert?) (IC001137)
3. Outfall pipe from under MIT drive (IC001138)
4. Center Street Ditch clogged 50' north of outfall pipe (IC001139)
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